

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/944,476	TANGE, SATORU	
	<b>Examiner</b>	<b>Art Unit</b>	
	Sing P Chan	1734	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed on November 7, 2003.
2. ☒ The allowed claim(s) is/are 1-6.
3. ☒ The drawings filed on 31 August 2001 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
  - \* Certified copies not received: \_\_\_\_\_.
5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
  - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No. \_\_\_\_\_.
  - (b) ☐ including changes required by the proposed drawing correction filed \_\_\_\_\_, which has been approved by the Examiner.
  - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. \_\_\_\_\_.

**Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the margin according to 37 CFR 1.121(d).**

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |   |
|--|---|
| 1 <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                             | 5 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)          |
| 2 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                    | 6 <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____.            |
| 3 <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No. _____  | 7 <input type="checkbox"/> Examiner's Amendment/Comment                             |
| 4 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
|  | 9 <input type="checkbox"/> Other _____  |

## **DETAILED ACTION**

### ***Allowable Subject Matter***

1. Claims 1-6 are allowed.

The following is an examiner's statement of reasons for allowance: the claims recite a method of forming a composite sheet capable of elastic stretch. The method includes providing a first web capable of elastic stretch and contraction, continuously feeding the first web and extending or stretching the first web in one direction to within a range that permit elastic stretch and contraction, allowing the first web to retract, providing a second web, wherein the second web comprises a nonwoven fabric formed of fibers, which are deposited in a layer without mechanical entanglement, superimposing the first and second web, and bonding the webs together in an intermittent manner along one direction. Suzuki (WO 9,519,258) discloses a method of stretching or activating a web. The method includes stretching the web to activate the web to provide a more elastic stretch to the web, which is advantageous as a elastic topsheet or backsheet of an article, i.e. diaper, in a production line, i.e. a continuous feeding and production process. (Page 5, lines 1-8 and Page 12, lines 17-19) The elastic sheet can be stretched to provide a flexible and efficient fitting structure prior to using the elastic sheet in producing a product. (Page 4, line 35 to 38) Suzuki does not disclose providing a second web of a nonwoven fabric form of fibers, which are deposited in a layer without mechanical entanglement, bonding the elastic web to a second web by superimposing the webs, and jointing the webs in an intermittent manner. Van Gompel et al (U.S. 6,361,527) discloses a method of forming three

Art Unit: 1734

dimensional pocket garments. The garment is formed by superimposing backsheet and topsheet and connected together using adhesive spot bonding, and the top sheet is a meltblown or spunbonded nonwoven fabric. (Col 10, lines 22-63) Van Gompel et al does not disclose stretching the backsheet or the topsheet prior to joining the sheets together and is silent as to the backsheet is elastic or using an elastic backsheet to provide the garment with tear resistance and elasticity. Kling (U.S. 6,217,692) discloses a method of forming an elastic laminate. The method includes providing a first nonwoven web, providing a second elastic material, stretching the elastic web, superposing the first and second webs and bonding the together. Kling does not disclose first stretching and allowing the elastic web to retract prior to bonding to the first web and bonding the webs in an intermittent manner along one direction. A search of the prior art of record did not disclose reference or references in combination with the recited features.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sing P Chan whose telephone number is 703-305-3175, after December 25, 2003 the examiner's telephone number will change to (571) 272-1225. The examiner can normally be reached on Monday-Friday 7:30AM-11:15AM and

Art Unit: 1734

12:15PM-4:00PM, after December 25, 2003 the examiner's supervisor telephone number will change to (571) 272-1226.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Crispino can be reached on 703-308-3853. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0661.

*Chen Sing P*  
spc

*R Crispino*

RICHARD CRISPINO  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY GROUP